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OGC HAS REVIEWED.

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LS 5-2227a

26 October 1955

MEMORANDUM FOR: Special Support Assistant to the Deputy
Director (Support)

25X1A9a

SUBJECT: Household Effects of [redacted] - Payment
of Storage Charges under Emergency Conditions

REFERENCES: (A) Memorandum, Special Support Assistant to
the Deputy Director (Support) to Office of
General Counsel, dated 7 October 1955,
Same Subject,

25X1A8a

(B) Memorandum, [redacted] to Special
Support Assistant to the Deputy Director
(Support), dated 29 September 1955, Same
Subject

25X1A9a 1. The facts of this case seem identical to those in the case
of [redacted], cited in reference B.

25X1A6a 2. We have checked with WH/Admin and have ascertained that
the [redacted] customs charges to which [redacted] would be subject
are of the same order of magnitude as in the case of [redacted]
although, of course, an exact determination would depend upon the
exact goods imported.

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25X1A [redacted]
in effect, as does section 165.2 of the Foreign Service Manual.

25X1A 4. A new element has been introduced by the promulgation of
[redacted] That regulation provides in section 11(b)
"Furniture and household effects which are not to be transported
to the post of duty will be stored at Organization expense only if
the post of duty is in a designated emergency area as prescribed
[redacted]"

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25X1A [redacted]
tratively determined that emergency conditions exist at the Field
Station", applies only to storage of goods at a Field Station at
the time the determination is made.

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5. [redacted] expresses a general Agency policy of according with the practices of the Department of State in allowing storage under "emergency conditions", a concept much broader than that of [redacted]. The Deputy Director [redacted] to prescribe a narrower policy for persons in the Field. Having prescribed that policy, it is permissible for him to waive it in a particular case, such as the present one, when operational and security considerations preclude its application. Should he choose to effect a waiver of the two Field Regulations in this case, the applicable policy will be that expressed in [redacted], and the payment of storage charges by the Agency in this case would be proper. We wish to caution only that the weight storage should not exceed the applicable weight allowances and that the authority to store household effects does not include the authority to store an automobile.

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6. We recommend submission of the case to the Deputy Director (Plans) for waiver of the cited regulations.

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[redacted]
Office of General Counsel

Attachments - References A & B

OGC:RFB:mz

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1 - Subject *Trans. - 6*

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